

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In Re: Sears, Roebuck and Co.

)
) Chapter 11
)
)
) Case No.: 18-23538-shl
)

**ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY PURSUANT TO
SECTION 362 (D) OF THE BANKRUPTCY CODE**

Upon consideration of the Motion for Relief from the Automatic Stay, dated _____
_____, 2023 (“Motion”) of Cerci and Jorge Hernandez (“Movants”) for an Order pursuant to
section 362(d) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 6004,
granting relief from the automatic stay to allow Movants to continue his pre-petition products
liability action to determine the liability if any, of Sears, Roebuck and Co. (the “Debtor”) for
injuries suffered by the Movants, liquidate any amount determined to be owed by the
Debtor to the Movants, obtain a judgment for any such amount and permit execution on any
such judgment against the Debtor’s insurance carriers or their successors; and it further
appearing that the Court has jurisdiction to consider the Motion; and it appearing that due
notice of the Motion has been given and no further notice need be given; **and there being no
objection to the relief granted below;** and upon the proceedings before the Court and good
and sufficient cause appearing, it is hereby;

ORDERED that the motion is granted and the automatic stay is lifted to permit the
action pending in the United States District Court for the District of Massachusetts, Civil
Action No.: 1:18-CV-10872-RGS, to continue to determine the liability, if any of the
Debtor for the injuries alleged by the Movants, to liquidate the amount, if any, determined
to be owed by the Debtor to the Movants and to obtain a judgement for any such amount,
with the understanding that

~~IT IS FURTHER ORDERED~~ that the automatic stay is lifted only to permit the
Movants to execute on any such judgment against the Debtor's insurers or their successors and
not against the Debtors.

Dated: August 3, 2023

/s/ Sean H. Lane
United States Bankruptcy Judge